



Comptroller General
of the United States
Washington, D.C. 20548

Decision

Matter of: Surgical Instrument Company of America
File: B-261259
Date: May 8, 1985


DECISION

Surgical Instrument Company of America protests the exclusion of its proposal from the competitive range by the Defense Personnel Support Center, Defense Logistics Agency under request for proposals No. SPO200-83-R-0772. However, the protester's correspondence states that the agency has not to date rejected the protester's proposal.

The protest is dismissed because it merely anticipates improper action that has not yet taken place.

The jurisdiction of our Office is established by the bid protest provisions of the Competition in Contracting Act of 1984, 31 U.S.C. §§ 3551-3556 (1988). Our role in resolving bid protests is to ensure that the statutory requirements for full and open competition are met. Brown Assocs. Mgmt. Servs., Inc.-Request for Recon., B-235906.3, Mar. 16, 1990, 90-1 CPD ¶ 299.

Protests that merely anticipate improper agency action are speculative and premature. See General Elec. Canada, Inc., B-230584, June 1, 1988, 88-1 CPD ¶ 512. Consequently, there is no basis for us to consider the protester's claim at this time. If, in the future, the agency takes concrete action that may properly form the basis for a valid bid protest, the protester may file with our Office at that time.


Michael Golden
Acting Associate General Counsel